

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MDL No. 3076
Case No. 1:23-md-03076-KMM

IN RE:

**FTX Cryptocurrency Exchange Collapse
Litigation**

THIS DOCUMENT RELATES TO:

Defendants SoftBank Group Corp., SoftBank
Investment Advisers (UK) Limited, and SoftBank
Global Advisers Limited

O'Keefe v. Sequoia Capital Operations, LLC,
No. 1:23-cv-20700 (S.D. Fla.)

Chernyavsky v. Temasek Holdings (Private) Limited,
No. 1:23-cv-22960 (S.D. Fla.)

Cabo v. Temasek Holdings (Private) Limited,
No. 1:23-cv-23212 (S.D. Fla.)

**DEFENDANTS SOFTBANK GROUP CORP., SOFTBANK INVESTMENT
ADVISERS (UK) LIMITED, AND SOFTBANK GLOBAL ADVISERS
LIMITED'S UNOPPOSED MOTION FOR CLARIFICATION**

Defendants SoftBank Group Corp. (“SBG”), SoftBank Investment Advisers (UK) Limited (“SBIA”), and SoftBank Global Advisers Limited (“SBGA,” and collectively “SoftBank”) move for clarification of the Court’s Order granting in part and denying in part Plaintiffs’ motion for jurisdictional discovery (the “Motion”). (ECF No. 422 (the “Order”).)¹

¹ The undersigned counsel conferred with Plaintiffs’ counsel regarding this motion for clarification. Plaintiffs are unopposed to the relief requested by SoftBank.

The Court's Order correctly noted that Plaintiffs' Motion sought jurisdictional discovery from SBG, SBIA, and SBGA. (See ECF No. 348.) However, Plaintiffs subsequently withdrew their Motion as to those defendants. (See ECF No. 384.) Plaintiffs' filing explained:

Plaintiffs file this response to Defendants SoftBank Group Corp., SoftBank Investment Advisers (UK) Limited, and SoftBank Global Advisers Limited (collectively, "SoftBank") Opposition (R. Doc. 374) ("Opposition") to Plaintiffs' Omnibus Motion to Lift Discovery Stay and for Leave to Conduct Jurisdictional Discovery, and, If Necessary to Amend Their Complaints with Any Facts Arising from Such Discovery (R. Doc. 348) ("Motion").

Plaintiffs hereby withdraw the motion as to Defendant SoftBank. Because SoftBank has not lodged a personal jurisdiction objection in this litigation at this time and because Plaintiffs have a motion pending before this Court which would obviate the need for any service-related discovery (R. Doc. 280), Plaintiffs did not attach discovery requests to SoftBank to the Motion, did not confer with SoftBank prior to filing the Motion, and do not seek discovery from SoftBank. ***Plaintiffs thus retract the Motion as to SoftBank at this time.*** Should SoftBank attempt to assert a personal jurisdiction defense at a later date, Plaintiffs will separately seek jurisdictional discovery from SoftBank or seek leave from this Court to take such discovery, whichever is appropriate at that time.

(*Id.* (emphasis added).)

SoftBank thus seeks clarification of the Court's Order to reflect that (i) Plaintiffs withdrew their Motion for jurisdictional discovery from the SoftBank defendants without prejudice and, therefore, (ii) the Court's Order does not permit Plaintiffs to seek jurisdictional discovery from the SoftBank defendants.

CERTIFICATE OF CONFERENCE

In accordance with Local Rule 7.1(a)(3), counsel for SBG, SBIA, and SBGA conferred with Plaintiffs' counsel in a good faith effort to resolve this motion for clarification, and Plaintiffs are unopposed to the relief requested.

Dated: December 21, 2023

Respectfully submitted,

/s/ Eric D. Lawson

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CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of December, 2023, I e-filed the foregoing document using the Court's CM/ECF system, which will send a notice of electronic filing to all counsel of record.

/s/ Eric D. Lawson _____